



Patent Application No.: 09/982,532
Attorney Docket No.: 54320.000010

1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

Søren MADSEN *et al.*

Examiner: David A. Lambertson

Serial No.: 09/982,532

Group Art Unit: 1636

Filed: October 19, 2001

For: REGULATION OF PROMOTER ACTIVITY IN CELLS

TRANSMITTAL LETTER

Mail Stop Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The following are enclosed for consideration in the above-identified application:

	FEE
<input type="checkbox"/> Response to Notice to File Missing Parts	\$
<input checked="" type="checkbox"/> Response to Office Action Restriction Requirement of April 9, 2003	\$
<input type="checkbox"/> Declaration: <input type="checkbox"/> Original; <input type="checkbox"/> Supplemental	\$
<input type="checkbox"/> Submission of Formal Drawings	\$
<input type="checkbox"/> Informal Drawings: ___ Sheets ___ Figures	\$
<input type="checkbox"/> Supplemental Information Disclosure Statement, Form PTO SB/08A, copy of International Search Report, and three (3) references	\$
<input type="checkbox"/> Amendment: <input type="checkbox"/> Preliminary; <input type="checkbox"/> § 116; <input type="checkbox"/> § 312; <input type="checkbox"/> Other	\$
<input checked="" type="checkbox"/> Request for Extension of Time <input type="checkbox"/> 2 month(s)	\$410.00
<input type="checkbox"/> Issue Fee: <input type="checkbox"/> Part B - Issue Fee Transmittal <input type="checkbox"/> Part C - Charge to Deposit Account	\$
<input type="checkbox"/> Notice of Appeal	\$
<input type="checkbox"/> Appeal Brief	\$
<input type="checkbox"/> Request for Oral Hearing	\$
<input type="checkbox"/> Reply Brief	\$
<input type="checkbox"/> Terminal Disclaimer	\$
<input type="checkbox"/> An additional claim fee is required, and is calculated as shown below.	\$
TOTAL FEES BEING SUBMITTED	\$410.00

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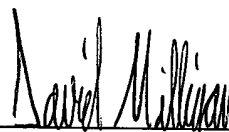
	Claims Remaining	Claims Paid For	Extra	Rate	Fee
Total Claims			0	x \$18.00	\$
Independent Claims			0	x \$84.00	\$
Multiple Dependent Claims (if applicable)				\$	\$
TOTAL EXCESS CLAIMS FEE					\$
SMALL ENTITY TOTAL (if applicable)					\$.00

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and § 1.17 associated with this communication or credit any overpayment to the deposit account of Hunton & Williams, Deposit Account Number 50-0206.

Respectfully submitted,

Dated: July 9, 2003

By:


Stanislaus Aksman
Registration No. 28,562

David H. Milligan
Registration No. 42,893

HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

SA/DHM/cbt



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RESPONSE TO OFFICE ACTION RESTRICTION REQUIREMENT
OF APRIL 9, 2003

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

Responsive to the Office Action mailed April 9, 2003, please consider the following remarks.

REMARKS

In the Office Action of April 9, 2003, the Examiner requested restriction to one of the following inventions under 35 U.S.C. § 1.121.

1. Claims 1-11, drawn to an isolated nucleic acid encoding OrfY, a vector for expression of the OrfY protein and a host cell comprising said vector, classified in class 435, subclass 320.1;
2. Claims 12-26, drawn to a method of regulating promoter activity by expressing the OrfY polypeptide, thereby producing a polypeptide of interest, classified in class 435, subclass 69.1;
3. Claim 27, drawn to a method of producing a food product using a cell expressing the OrfY polypeptide, classified in class 426, subclass 656;
4. Claim 28, drawn to a method for producing a pharmaceutical using a cell expressing the OrfY polypeptide, classified in class 514, subclass 2; and
5. Claim 29, drawn to a method of delivering a gene product using a cell expressing the OrfY protein, classified in class 435, subclass 440.

Applicant hereby elects Invention 1, Claims 1-11, drawn to an isolated nucleic acid encoding OrfY, a vector for expression of the OrfY protein and a host cell transformed with the sequence or

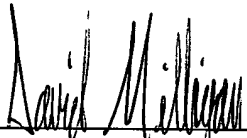
the vector, classified in class 435, subclass 320.1, with traverse.

The Assistant Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 50-0206.

Respectfully submitted,

Dated: July 9, 2003

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